

Remarks

Claims 1-25 are pending. With this Submission, claims 1, 2, 14, and 15 are amended, and claim 25 is canceled. Upon entry of the current amendments, claims 1-24 remain pending.

Applicant submits that the claim amendments are fully supported by the application as originally filed and do not present new matter.

Applicant respectfully requests reconsideration and further examination of the application in view of the amendments above and remarks below.

Telephonic Interview

Applicant gratefully acknowledges the telephonic interviews granted by Examiner Webb between the Examiner and Applicant's undersigned representative, Paul John Parins, on July 17, 2006, and September 12, 2006.

The substance of the July 17, 2006 interview is documented in the Examiner's Interview Summary mailed July 20, 2006.

In the September 12, 2006, interview claim 25 was discussed but agreement was not reached.

Claim Amendments

Each of independent claims 1 and 14 are directed to a particular cleaning methodology that uses a cleaning composition having the following three key ingredients, wherein at least one of the ingredients has a flash point of at least 30°F:

- 1) an oil solubilizing amount of a degreaser;
- 2) a rubber solvent; and
- 3) a polar, organic diluent.

With this Submission, claims 1 and 14 are amended to feature that these three key ingredients are each present in an amount so as to satisfy a ratio within a specific range. More specifically, each of claims 1 and 14 are amended to feature that:

the cleaning composition comprises 3 to 15 parts by weight of the degreaser per 20 to 60 parts of the rubber solvent and 20 to 60 parts by weight of diluent per 20 to 60 parts by weight of the rubber solvent.

Dependent claims 2 and 14 are amended to feature a more narrow range of ratios than that recited in their respective base claims. Support for these amendments can be found in the specification at, e.g., page 8, lines 15-19, and page 10, lines 3-6.

Applicant notes that the specific range of ratios now featured in each of claims 1 and 14 is narrower than previously pending claim 25 (now canceled). In addition, Applicant notes that the that the specific range of ratios now featured in each of claims 1 and 14 is consistent with the range of ratios featured in claim 1 of Applicant's issued patent (U.S. Pat. No. 6,583,097), which is the basis of the Double Patenting Rejection below.

Having each of these three ingredients present in an amount so as to satisfy a ratio within the recited range is key to a cleaning composition used in the present invention because such a cleaning composition can provide tremendous cleaning power (e.g., surface and sub-surface deep cleaning), while at the same time being compatible with a wide range of surfaces (e.g., from metal and/or ceramic to body surfaces such as hands) (see the specification at, e.g., page 5, line 27 to page 6, line 4, and page 6, line 22 to page 7, line 2).

Double Patenting Rejection

Claims 14-24 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of McDonald (U.S. Pat. No. 6,583,097).

Applicant hereby submits a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) with this Submission to obviate this double-patenting rejection.

Enclosed is a check for the Terminal Disclaimer fee (\$65.00, small entity).

Accordingly, it is respectfully requested that the rejection of claims 14-24 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of McDonald, be withdrawn.

Claim Rejections Under 35 U.S.C. §102

Claims 1-25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Googin et al. (U.S. Pat. No. 5,207,838).

Applicant respectfully submits that the rejection based on Googin et al. is overcome by amending each of independent claims 1 and 14 to feature that the three key ingredients are each present in an amount so as to satisfy a ratio within the recited range, as discussed above.

In brief, each of independent claims 1 and 14 now feature that the degreaser is present in a relatively minor amount and the diluent and rubber solvent are each present in a relatively major amount.

Googin et al. do not teach, motivate, or suggest, to use a cleaning composition that includes the three key ingredients in a manner so as to satisfy a ratio within the ranges recited in each of claims 1 and 14.

Googin et al. describe a two-component system having A) a particular nonpolar aliphatic hydrocarbon solvent and B) a particular polar solvent (see Googin et al. at, e.g., the Abstract, col. 3, lines 24-29, and col. 4, lines 39-47). For their polar solvent, Googin et al. merely mention that potential ingredients can include, among others, 1-hexanol, certain glycol ethers, and mixtures thereof (see Googin et al. at claim 10). A “polar, organic diluent” according to Applicant’s claims could include 1-hexanol and a “degreaser” according to Applicant’s claims could include a glycol ether. In addition, a “rubber solvent” according to Applicant’s claims could include a nonpolar aliphatic hydrocarbon solvent as described by Googin et al.

Googin et al. warn however that their polar solvent must be present in an amount in the range of about 2 to about 25 volume percent (see Googin et al. at col. 6, lines 14-28). By implication, the nonpolar aliphatic hydrocarbon solvent of Googin et al. must be present in an amount in the range of 75 to 98 volume percent. Moreover, Googin et al. state that the hydrocarbon solvent is preferably present in amount in the range of from 93 to 97 volume percent and the polar solvent is present in an amount of from 3 to 7 volume percent (see Googin et al. at col. 7, lines 21-26). In other words, the hydrocarbon solvent of Googin et al. is present by far in the major amount and to the extent 1-hexanol and a glycol ether would be combined to provide the polar solvent, they would each be present in a very minor amount.

In short, one of skill in the art would have had no motivation or suggestion based on the Googin et al. reference to use a cleaning composition according to each of claims 1 and 14, where the degreaser is present in a relatively minor amount and the diluent and rubber solvent are each present in a relatively major amount.

In addition, Googin et al. do not remotely teach, motivate, or suggest a method of hand cleaning as recited in claim 14.

Googin et al. disclose that their cleaning composition is for cleaning metal surfaces, especially radioactive materials (see Googin et al. at, e.g., the Title and col. 3, lines 5-10).

The Office Action cites to column 1, lines 28-32 of Googin et al., which states that:

Such chlorinated or chlorofluorocarbon solvents have been satisfactorily utilized for some time in both vapor and hand degreasing modes for cleaning surfaces of metallic materials, including radioactive materials. (emphasis added).

From the above passage in Googin et al., the Office Action incorrectly infers that Googin et al. teaches a method of cleaning hands because human hands would be in intimate contact with the cleaning composition of Googin et al. (see the Office Action at page 2). However, Googin et al. are referring to manually cleaning surfaces of metallic materials. Moreover, manual cleaning does not necessarily mean that Googin et al. teach using their cleaning composition in intimate contact with human hands because one of skill in the art could use tools such as gloves and towels to contact the cleaning composition of Googin et al.

Accordingly, it is respectfully requested that the rejection of claims 1-25 under 35 U.S.C. §102(b) as being anticipated by Googin et al. be withdrawn.

Claims 14-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by Klier et al. (U.S. Pat. No. 5,811,383).

Applicant respectfully submits that the rejection based on Klier et al. is overcome by amending independent claim 14 to feature that the three key ingredients are each present in an amount so as to satisfy a ratio within the recited range, as discussed above.

Klier et al. do not teach, motivate, or suggest, to use a cleaning composition that includes the three key ingredients in a manner so as to satisfy a ratio within the ranges recited in claim 14.

Klier et al. describe certain compositions that include an organic solvent or a mixture of two or more organic solvents (see Klier et al. at col. 1, lines 45-47; col. 2, lines 12, 13, 48, and 49). Klier et al. then broadly disclose different organic solvents that can be used (see Klier et al. at col. 4, line 4 to col. 5, line 46). However, Klier et al. is silent as to selecting the specific three key ingredients recited in claim 14 so as to satisfy a ratio within the specific range.

Accordingly, it is respectfully requested that the rejection of claims 14-24 under 35 U.S.C. §102(b) as being anticipated by Klier et al. be withdrawn.

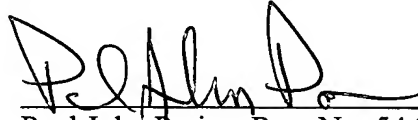
Conclusion

In view of the amendments and remarks above, it is respectfully submitted that the above-identified application is in condition for allowance.

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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